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8 COUNSEL FOR PLAINTIFF

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARY DUCHARME, individually and
on behalf of a class of similarly situated
individuals,

Plaintiff,

v.

JOHN C. HEATH ATTORNEY AT
LAW, PLLC, a Utah professional limited
liability company d/b/a LEXINGTON
LAW FIRM; ADAM C. FULLMAN, an
individual d/b/a LEXINGTON LAW
FIRM CALIFORNIA, a registered
California Credit Services Organization,

Defendants.

Case No. CV-10-2763-CRB

[Assigned to Judge Charles R. Breyer]

**JOINT STIPULATION GRANTING
PLAINTIFF LEAVE TO FILE FIRST
AMENDED CLASS ACTION
COMPLAINT**

This stipulation is entered into by Defendants John C. Heath Attorney At Law,
PLLC d/b/a Lexington Law Firm, and Adam C. Fullman d/b/a Lexington Law Firm
California (collectively “Defendants”) and Mary Ducharme (“Plaintiff”) (collectively, the
“Parties”), by and through their respective counsel, with reference to the following facts:

A. On July 20, 2010, Defendants filed their Motion to Dismiss Pursuant to
FRCP 12(b)(6) (“Motion to Dismiss”);

1 B. On September 2, 2010, following a stipulation filed by the Parties seeking to
2 continue the hearing date on Defendants' Motion to Dismiss, this Court re-set the hearing
3 date on the Motion to Dismiss to October 1, 2010. (Dkt. 13.)

4 C. Plaintiff's deadline for filing an opposition to the Motion to Dismiss is
5 September 10, 2010.

6 D. The Parties have met and conferred regarding the Motion to Dismiss and
7 have agreed, subject to this Court's approval, to grant Plaintiff leave to file a First
8 Amended Class Action Complaint. Plaintiff shall file the First Amended Class Action
9 Complaint on or before September 24, 2010.

10 E. The Parties further agree that the Defendants shall thereafter have 28 days,
11 on or before October 22, 2010, to answer or otherwise plead to the First Amended Class
12 Action Complaint.

13 F. The Parties further agree that the hearing date of October 1, 2010, should be
14 taken off of the calendar.

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1 **NOW, THEREFORE:**

2 The Parties hereby stipulate, subject to the Court's approval, that Plaintiff shall have
3 until September 24, 2010 to file a First Amended Class Action Complaint, that Defendants
4 shall have until October 22, 2010 to answer or otherwise plead, and that the hearing date of
5 October 1, 2010 should be taken off the calendar.

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7 Dated: September 9, 2010

MARY DUCHARME, individually and on
behalf of a class of similarly situated individuals,

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9 By: /s/ Sean P. Reis
10 Sean P. Reis
11 One of Plaintiff's Attorneys

12 Dated: September 9, 2010

13 JOHN C. HEATH ATTORNEY AT LAW,
14 PLLC d/b/a LEXINGTON LAW FIRM, and
ADAM C. FULLMAN d/b/a LEXINGTON
LAW FIRM,

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16 By: /s/ George M. Lindahl
17 LINDAHL BECK LLP
18 George M. Lindahl
19 Attorneys for Defendants
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CERTIFICATE OF SERVICE

I, Sean P. Reis, hereby certify that on September 9, 2010, I electronically filed the foregoing **JOINT STIPULATION GRANTING PLAINTIFF LEAVE TO FILE FIRST AMENDED CLASS ACTION COMPLAINT** with the Clerk of the Court using the CM/ECF system. Notice of this filing is sent to the following parties by operation of the Court's electronic filing system:

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/s/ Sean Reis